

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL,

Plaintiff,

No. 14-10244

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

JACK FROST, ET AL.,

Defendants.

/

REPORT AND RECOMMENDATION

Before the Court is Plaintiff Robert Annabel's Renewed Motion for TRO and Preliminary Injunction [Doc. #110], which has been referred for a Report and Recommendation ("R&R") under 28 U.S.C. § 636(b)(1)(B).

In this motion, Plaintiff renews the requests he made in his previous motion for injunctive relief [Doc. #69]. On July 25, 2017, I filed an R&R in which I recommended that Motion #69 be denied [Doc. #107]. Plaintiff filed the present renewed motion on July 28, 2017, which was almost certainly before he received the R&R.

There is nothing in the present motion that would change my recommendation in my previous R&R. In the interest of brevity, and to avoid redundancy, I incorporate herein all facts and analyses set forth in my previous R&R [Doc. #107], and for the same reasons, recommend that Plaintiff's renewed motion [Doc. #110] be DENIED.¹

¹ On August 9, 2017, Plaintiff filed objections to the previous R&R [Doc. #114]. Those objections are pending before the District Judge.

CONCLUSION

I recommend that Plaintiff's Renewed Motion for TRO and Preliminary Injunction [Doc. #110] be DENIED.

Any objections to this Report and Recommendation must be filed within fourteen (14) days of service of a copy hereof, including weekends and intervening holidays, as provided for in 28 U.S.C. §636(b)(1) and E.D. Mich. LR 72.1(d)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L.Ed.2d 435 (1985); *Howard v. Secretary of HHS*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Filing of objections which raise some issues but fail to raise others with specificity will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Sullivan*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this Magistrate Judge.

Within fourteen (14) days of service of any objecting party's timely filed objections, including weekends and intervening holidays, the opposing party may file a response. The response shall be not more than twenty (20) pages in length unless by motion and order such page limit is extended by the court. The response shall address specifically, and in the same order raised, each issue contained within the objections.

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 14, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 14, 2017, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen